

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

IN RE: § CASE NO. 16-52858-CAG
§
A2 AUTO SALES, INC. §
dba, AXIOM AUTO GROUP §
DEBTOR. § CHAPTER 7 PROCEEDING

TRUSTEE'S MOTION TO SELL PERSONAL PROPERTY OF DEBTOR - FREE AND CLEAR
OF ALL LIENS AND INTERESTS(WITH 21-DAY LANGUAGE)

This pleading requests relief that may be adverse to your interests.

If no timely response is filed within twenty-one (21) days from the date of service, the relief requested herein may be granted without a hearing being held.

A timely filed response is necessary for a hearing to be held.

NOW COMES RANDOLPH N. OSHEROW, Chapter 7 Trustee ("Trustee") of the bankruptcy estate of A2 AUTO SALES, INC, dba AXIOM AUTO GROUP., and files his Motion to Sell Personal Property of Debtor (With 21-Day Language) – - Free and Clear of all Liens and Interests. The Trustee would show the Court the following:

1. On 12/9/16, this case was filed as a chapter 7 petition was filed initiating this case under Chapter 7 of the Bankruptcy Code; Randolph N. Osherow was appointed Chapter 7 trustee of debtor's estate on. He continues to act in that capacity.

I. PROPERTY TO BE SOLD

2. The property of the estate to be sold by this Motion consists of the Debtor's personal property described as follows:

Furniture, Fixtures and Equipment, Vehicles, Licenses, Logo Trade Names, Notes, Account Receivables, Claims in the case, Deposits with landlord, etc... all of which are described in the attached SALES LIST which is to be sold AS IS and WHERE IS. This property has unknown resale value.

3. The Trustee seeks to sell the property to Sergio A. Peralta for \$1800.00. The claims in the case are only \$647.66. The assets are being sold back to the principal of the debtor so he can prosecute the claims described herein which have uncertain value. This sale will pay the creditors 100% plus interest.

Copy of Order attached as Exhibit "A"

II. TRUSTEE'S ESTIMATED VALUE AND BASIS THEREOF

Debtor scheduled these assets. Attached is form 1.

III. MARKETING OF SAID PROPERTY

4. These assets consist mainly of lawsuits and claims of uncertain value.

IV. TAX CONSEQUENCES

6. The Trustee believes there are no tax consequences to this sale. The maximum tax gain is approximately 20% of the gross sales price.

V. LIENS

7. Trustee know of no liens on the property.

VI. ESTIMATED COST OF SALE AND NET TO THE ESTATE

8. The following estimated costs are related to this sale:


Sale	\$1800.00
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The estimated net to the general (priority and unsecured) creditors is approximately \$1800.00.

9. It is the Trustee's position that a sale in this manner is in the best interest of the estate and will net the estate the most money for distribution to creditors. A copy of this Motion is being forwarded to all creditors in accordance with Local Rule 9014.

WHEREFORE, PREMISES CONSIDERED, Trustee prays this Court enter an Order allowing and approving the sale as set forth above and authorizing the Trustee to execute the documents necessary to effectuate the sale of the property and that the Texas Department of Motor Vehicles and/or the local Tax Assessor/Collector be ordered to assist in the transfer of these vehicles to the new owners and that such Order be entered after 21 days unless an objection is timely filed in accordance with Rule 9014.

Respectfully submitted this 3 day of July, 2017.



/s/ Randolph N. Osherow
RANDOLPH N. OSHEROW, Chapter 7 Trustee
Texas State Bar No. 15335500
342 West Woodlawn, Suite 100
San Antonio, Texas 78212
(210) 738-3001 - Telephone
(210) 737-6312 - Telefax
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FORM 1
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT

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ASSET CASES

Case No: 16-52858 CAG Judge: CRAIG A. GARGOTTA - SAN ANTONIO
Case Name: A2 AUTO SALES, INC.

Trustee Name: RANDOLPH N. OSHEROW
Date Filed (f) or Converted (c): 12/09/16 (f)
341(a) Meeting Date: 01/12/17
Claims Bar Date: 05/08/17

For Period Ending: 07/03/17

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. Checking acct Capital One	Unknown	0.00		0.00	0.00
2. Checking Acct BBVA	2,703.45	0.00		0.00	FA
3. Checking Acct BBVA	89.48	0.00		0.00	FA
✓ 4. Landlord Deposit Charan Investments	9,000.00	0.00		0.00	FA
✓ 5. Accts Receivable	100,000.00	Unknown		0.00	Unknown
✓ 6. 28 cars and trucks including consignment vehicle	420,000.00	Unknown		780.00	Unknown
✓ 7. Misc supplies	1,000.00	0.00		10.00	FA
✓ 8. Desks, Office Equipment	20,000.00	0.00		10.00	FA
9. Lease for 5402 Grissom Rd, SA, TX-car lot lease	Unknown	0.00		0.00	0.00
✓ 10. Logos	Unknown	0.00		100.00	FA
✓ 11. Licenses, franchises, royalties	Unknown	0.00		100.00	FA
✓ 12. Logo trade names and customer lists, claims /misappropriation etc...	Unknown	0.00		100.00	FA
✓ 13. Notes receivable, etc.	60,000.00	Unknown		300.00	Unknown
✓ 14. Causes of action-2	Unknown	0.00		200.00	FA
✓ 15. Other claims	Unknown	0.00		200.00	FA

TOTALS (Excluding Unknown Values)

\$612,792.93

\$0.00

\$1,800.00

Value of Remaining Assets
\$0.00
(Total Dollar Amount
in Column 6)

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

Initial Projected Date of Final Report (TFR): 12/31/18

Current Projected Date of Final Report (TFR): 12/31/18

SALES LIST

1.	28 cars and trucks (including consignment vehicle) and all books and records relating to the same
2.	All Books and Records
3.	Safe desk chairs
4.	All Office furniture
5.	All Office fixtures
6.	Office equipment, miscellaneous supplies including all computer equipment and communication systems equipment and software
7.	Texas Car Dealers License, Texas Finance License (OCC); City of San Antonio License (including claims for unauthorized use thereof by Ernesto Peralta Canovas, Alejandro Rizo, Perca Holdings, LLC, Axiom Auto Group, LLC. Axiom Financial Services, LLC., Axiom Cars, LLC., Ca Ro Clan Investment Gustavo Calles, their agents, attorneys, accountants, employees and the debtor's former employees and agents.
8.	LOGO TRADE NAMES and customer lists (including claims arising from the misappropriation and use of the same by Ernesto Peralta Canovas, Alejandro Rizo, Perca Holdings, LLC, Axiom Auto Group, LLC, Axiom Financial Services, LLC, Axiom Cars, LLC, Ca Ro Clan Investment Gustavo Calles, their agents, attorneys, accountants, employees and agents.
9.	Notes and accounts receivable including all files and records related thereto and claims against Ernesto Peralta Canovas, Alejandro Rizo, Perca Holdings, LLC, Axiom Auto Group, LLC, Axiom Financial Services, LLC, Axiom Cars, LLC, Ca Ro Clan Investment, Gustavo Calles, their agents, attorneys, accountants, employees and the debtor's former employees and agents for misappropriation of the same.
10.	Claims against Ernesto Peralta Canovas, Alejandro Rizo, Perca Holdings, LLC, Axiom Auto Group, LLC, Axiom Financial Services, LLC, Axiom Cars, LLC, CaRo Clan Investment Gustavo Calles, their agents, attorneys, accounts, employees and the debtor's former employees and agents, for forgery and violations of section 501.155 of the Texas Transportation Code (third degree felony) for knowingly providing false or incorrect information, and/or signing the debtor's name without legal authority of Texas vehicle transfer documents and/or title applications (theft, conversion and related torts)(exact amount unknown)

11.	Claims against Ernesto Peralta Canovas, Alejandro Rizo, Perca Holdings, LLC., Axiom Auto Group, LLC., Axiom Financial Services, LLC., Axiom Cars, LLC., Ca Ro Clan Investment Gustavo Calles, their agents, attorneys, accountants, employees and the debtor's former employees and agents for using and/or impersonating the debtor's Texas Independent Motor Vehicle Dealer Automobile Dealer license including license P123378 without the debtor's consent in the purchase, sale and/or transfer of motor vehicles including claims for forgery and fraud.
12.	Claims for Fraud, Breach of Contract, and Conversion, Misappropriation and/or conversion of corporate assets, corporate opportunities, theft of trade secrets, forgery, Texas Theft Liability Act, Online Impersonation, breaches of contract and related torts against Ernesto Peralta Canovas, Perca Holdings, LLC, Axiom Auto Group, LLC., Axiom Financial Services, Axiom Cars, LLC., Ca Ro Clan Investments, LLC., Gustavo Calles, their agents, attorneys and employees and the debtor's former employees and agents.
13.	Deposit with Landlord Charan Investments

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

IN RE: § CASE NO. 16-52858-CAG
§
A2 AUTO SALES, INC. §
dba, AXIOM AUTO GROUP §
DEBTOR. § CHAPTER 7 PROCEEDING

ORDER AUTHORIZING TRUSTEE TO SELL DEBTOR'S PERSONAL PROPERTY-
FURNITURE, FIXTURES AND EQUIPMENT, VEHICLES, LICENSES, LOGO TRADE NAMES,
NOTES, ACCOUNT RECEIVABLES, CLAIMS IN THE CASE, DEPOSITS WITH LANDLORD,
ETC... ALL OF WHICH ARE DESCRIBED IN THE ATTACHED SALES LIST - FREE AND
CLEAR OF ALL LIENS AND INTERESTS

On the day this Order was signed, came to be considered by the United States Bankruptcy Judge, the Trustee's Motion to Sell Personal Property of Debtor-Debtor's personal property described as follows:

Furniture, Fixtures and Equipment, Vehicles, Licenses, Logo Trade Names, Notes, Account Receivables, Claims in the case, Deposits with landlord, etc... all of which are described in the attached SALES LIST- Free and Clear of All Liens and Interests. The Court having considered the Motion finds that it has merit and should be granted. It is, therefore,

ORDERED, ADJUDGED, and DECREED that the Trustee is hereby authorized to sell the personal property described as follows to Sergio A. Peralta for \$1800.00.

Property to be sold:

Furniture, Fixtures and Equipment, Vehicles, Licenses, Logo Trade Names, Notes,

EX "A"

Account Receivables, Claims in the case, Deposits with landlord, etc... all of which are described in the SALES LIST, attached to the Trustee's Motion to Sell.

It is further

ORDERED, ADJUDGED, and DECREED that the sale of the foregoing property shall be free and clear of all liens and interests, valid and invalid, and the same is hereby approved and affirmed. It is further

ORDERED, ADJUDGED, and DECREED that the Texas Department of Motor Vehicles and/or the local Tax Assessor/Collector is ordered to assist in the transfer of the vehicles to the new owners.

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RANDOLPH N. OSHEROW
Chapter 7 Trustee
342 W Woodlawn, #100
San Antonio, TX 78212
Email: rosherow@hotmail.com
Telf. (210) 738-3001 ext 212

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

IN RE: § CASE NO. 16-52858-CAG
§
A2 AUTO SALES, INC. §
dba, AXIOM AUTO GROUP §
DEBTOR. § CHAPTER 7 PROCEEDING
CERTIFICATE OF MAILING

The undersigned hereby certifies that a true and correct copy of the Motion to Sell Property of Debtor 21 day language- -FREE AND CLEAR OF ALL LIENS AND INTERESTS was served upon the following parties in interest by U.S. first class mail, postage prepaid this 3 day of July, 2017:

A2 Auto Sales, Inc.
16103 Juan Tabo Way
Helotes, TX 78023
Debtor

Martin Warren Seidler
11107 Wurzbach Rd., Suite 504
San Antonio, TX 78230
Counsel for Debtor

U.S. TRUSTEE
P. O. BOX 1539
SAN ANTONIO, TEXAS 78295-1539

SEE ATTACHED MATRIX FOR A LIST OF PARTIES SERVED WITH NOTICE

/s/ Randolph N. Osherow
RANDOLPH N. OSHEROW, Chapter 7 Trustee
Texas State Bar No. 15335500
342 West Woodlawn, Suite 100
San Antonio, Texas 78212
(210) 738-3001 - Telephone
(210) 737-6312 - Telefax
rosherow@hotmail.com

(p)DIRECTV LLC ATTN BANKRUPTCIES PO BOX 6550 GREENWOOD VILLAGE CO 80155-6550	(p)INTERNAL REVENUE SERVICE CENTRALIZED INSOLVENCY OPERATIONS PO BOX 7346 PHILADELPHIA PA 19101-7346	(p)TEXAS COMPTROLLER OF PUBLIC ACCOUNT REVENUE ACCOUNTING DIV - BANKRUPTCY SECTION PO BOX 13528 AUSTIN TX 78711-3528
Adesa Auto Auction 200 S. Callaghan Rd. San Antonio, Texas 78227-1547	AutoTrader/Cox Auto 3003 Summit Ave #200 Atlanta, GA 30319-1469	Axiom Auto Group, LLC 5402 Grissom Rd. San Antonio, Texas 78238-3026
Axiom Auto Group, LLC c/o Brent Green 600 Navarro #500 San Antonio, Texas 78205-1860	Axiom Financial Services, LLC c/o Brent Green 600 Navarro #500 San Antonio, Texas 78205-1860	Bexar County c/o David G. Aelvoet 711 Navarro, Suite 300 San Antonio, Texas 78205-1749
Bexar County c/o Don Stecker 711 Navarro, Suite 300 San Antonio, TX 78205-1749	Ca Ro Clan Investments 2292 Beaumont Ave. McAllen, TX 78501	Capital One Bank USA, NA P O Box 30281 Salt Lake City, Ut 84130-0281
Capital One Bank USA, NA P O Box 30281 Salt Lake City, UT 84130-0281	Cars Magazine 1351 Oakbrook Dr. #105 Notecross, GA 30093-2237	Cars.com 175 W. Jackson Blvd. Chicago, IL 60604-2913
Carsforsale.com 113 E. Spruce Beresford, SD 57004-1827	Cavalry Portfolio Services/GE Capital 500 Summit Lake Dr. #400 Vahalla, NY 10595-1340	Charan Investments 6011 Sierra Arbor Court Austin, Texas 78759-5175
City Public Service P.O. Box 2678 San Antonio, TX 78289-0001	CPS Energy 145 Navarro, Mail Drop 110909 San Antonio, TX 78205	Dist. Clk #2015 CI 15310 100 Dolores San Antonio, Texas 78205-3038
Enhanced Recovery Corp./ATT 1422 A East 71st Street Tulsa, OK 74136-5060	Gustavo A. Calles Flores 121 S. 23rd St. McAllen, TX 78501-7026	Gustavo A. Calles Flores Colina Alegre 3114 Colina a del Valle Monterrey, NL Mexico 64650
Hernandez, Eloy SH Express Tire Shop 8991 Grissom Rd. San Antonio, Texas 78251-2815	Internal Revenue Service P.O. Box 7346 Philadelphia, PA 19101-7346	Internal Revenue Service Special Procedures Insolvency Sec. P.O. Box 7346 Philadelphia, PA 19101-7346
Manheim 2042 Ackerman Rd. San Antonio, Texas 78219-3016	Manheim Remarketing, Inc. 6205 Peachtree Dunwoody Rd. Atlanta, GA 30328-4524	Maria L Perez Gonzalez Paseo De La Reforma #1435 Col. Lomas De Chapultepec Mexico, DF CP 11000

Merchant One
524 Arthur Godfrey Rd. 3rd Fl
Miami Beach, FL 33140-3528

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1441 Brickell Ave. #1400
Miami, FL 33131-3426

Peralta Canovas Ernesto
c/o Brent Green
600 Navarro #500
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Perca Holdings, LLC
c/o Bret Green
600 Navarro, #500
San Antonio, Texas 78205-1860

San Antonio Water System
P.O. Box 2990
San Antonio, TX 78299-2990

SBS Management, LLC
825 W. Bitters Rd. #205
San Antonio, TX 78216-7965

Soloautos/Newspanmedia
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Sparkling Auto Auction
13510 Toepperwein Rd.
Live Oak, TX 78233-4004

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Enforcement and Compliance Svcs.
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San Antonio, TX 78246-0849

Time Warner Cable
P.O. Box 650734
Dallas, Texas 75265-0734

United States Attorney
Attn: Mr. Gary Wright
601 N.W. Loop 410, #600
San Antonio, TX 78216-5597

United States Trustee - SA12
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PO Box 1539
San Antonio, TX 78295-1539